

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I showed this amendment to Senator Johnson and he agrees with it. What it is doing is going to the penalty section and we're not going to try...I'm not dealing with Senator Johnson's amendment, that's been withdrawn, I'm dealing only with the penalty section of the law as it exists now. And instead of trying to define what a conflict of interest may or may not be for the Legislature, because it is a practical impossibility, is simply saying that if a senator casts a vote on whatever issue, he or she will not be subjected to a criminal sanction just by virtue of casting that vote. The reason I'm dealing with the penalty section, I don't want to disturb the requirements to disclose, if you think there is a potential conflict, and all of the rest of it. It's not touching anything that exists in the current accountability law. It is simply taking away the criminal sanction that might be available under an interpretation of the Accountability Commission toward any senator because of a vote that may be cast and I think it's reasonable. I don't believe that there can be proper legislating if a person has to look over his or her shoulder and wonder if somebody is going to try to file a criminal action. It could even make it possible to bring a type of pressure to bear on a senator on a questionable issue. Maybe you are unsure as to whether this issue would constitute a conflict that would make you subject to a criminal sanction, so the people on the other side of the issue could come to you and say, if you vote on this one, I'm going to file a complaint against you with the Accountability Commission and you could be guilty of a crime. And remember, your intention makes no difference. If you cast the vote and the commission under its interpretation determines that a conflict existed, whatever they say a conflict is, then you are subject to the criminal sanction and there is nothing you can do about it. So what my amendment does is takes away the possibility of being charged criminally for a vote that you cast on the floor of this Legislature. It doesn't deal with bribery, it doesn't deal with misuse of your office for any other purpose, none of that is being touched at all. So I am hoping that you will...oh, somebody said that I have the wrong section. So let me not put the number of the section in the amendment because I don't want to state the wrong section.

SPEAKER NICHOL: You wish to have the number deleted?